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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PN II, INC. dba PULTE HOMES and/or
DEL WEBB, a Nevada corporation,

Case No. 2:20-cv-01383-ART-BNW

1 Plaintiff,
2
3 v.
4 NATIONAL FIRE & MARINE INSURANCE
5 COMPANY; and DOES 1 through 100,
6 inclusive,
7 Defendants.

8 NATIONAL FIRE & MARINE INSURANCE
9 COMPANY, a Nebraska insurance
10 company,
11 Counter-Claimant,
12 v.
13 PN II, INC. dba PULTE HOMES and/or
14 DEL WEBB, a Nevada corporation,
15 Counter-Defendant.

16 NATIONAL FIRE & MARINE INSURANCE
17 COMPANY, a Nebraska insurance
18 company,
19 Third-Party Plaintiff,
20 v.
21 PN II, dba PULTE HOMES and/or DEL
22 WEBB, a Nevada corporation;
23 CONTRACTORS INSURANCE
24 COMPANY OF NORTH AMERICA, INC.,
25 a Hawaii corporation,
26 Third-Party Defendants.

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1 Defendant/Counter-Claimant/Third-Party Plaintiff National Fire & Marine
2 Insurance Company (“National Fire”), Plaintiffs/Counter-Defendants PN II, Inc. dba Pulte
3 Homes and Del Webb (collectively “Pulte”), and Third-Party Defendant Contactors
4 Insurance Company of North America (“CICNA”), by and through their respective
5 counsel of record, hereby STIPULATE and agree, subject to this Court’s approval, that
6 the current joint pre-trial order deadline set forth in ECF 134 is continued to December
7 13, 2024. The parties’ deadline to file a joint pre-trial order is currently set for 30 days
8 after completion of a settlement conference. See ECF 134. Magistrate Judge Weksler
9 conducted a settlement conference on August 30, 2024. Thus, the joint pre-trial order is
10 currently due Monday, September 30, 2024.

11 This is the third request specific to the joint pre-trial order deadline. The initial
12 deadline was suspended pursuant to L.R. 26-1, upon request of the parties,
13 because dispositive motions were filed. ECF 112; see L.R. 26-1(b)(5) (“If dispositive
14 motions are filed, the deadline for filing the joint pretrial order will be suspended until 30
15 days after decision on the dispositive motions or further court order.”). Following
16 disposition of the parties’ summary judgment motions, the parties agreed that they
17 required additional time to complete the pre-trial order, and the Court entered an order
18 moving the deadline until 30 days after completion of the settlement conference.

19 The parties have been working on the joint pre-trial order and agree that additional
20 time is necessary to fully complete it. Accordingly, the parties hereby agree that the
21 current deadline for the joint pre-trial order (September 30, 2024) is continued to
22 December 13, 2024. This stipulation is necessary in order to allow the parties sufficient
23 time to prepare and exchange materials required by the pre-trial order, including
24 proposed stipulated and disputed facts, exhibits lists, and deposition designation. Given
25 the size of the factual record in the case, and that it is a multilateral dispute, the parties
26 believe that the additional time will enable them to better frame the evidence and scope
27 of the disputes to be trial for the Court.

28 ///

1 There have been five prior stipulations for the extension of time regarding
2 discovery deadlines. (ECF No. 52). There have been three prior stipulations to extend
3 the expert disclosure dates (ECF No. 83); there has been one prior stipulation for the
4 extension of expert deposition dates (ECF No. 87); there has been two prior extensions
5 regarding dispositive motion deadlines and briefing schedules (ECF Nos. 90 and 110).

6 **IT IS SO STIPULATED.**

7 Dated: September 9, 2024

NICOLAIDES FINK THORPE
MICHAELIDES SULLIVAN LLP

9 By: /s/ Jeffrey N. Labovitch

Jeffrey N. Labovitch

Dawn A. Hove

10 Attorneys for Defendant, Counterclaimant
11 and Third-Party Plaintiff NATIONAL FIRE
12 & MARINE INSURANCE COMPANY

13 Dated: September 9, 2024

GIBSON, DUNN & CRUTCHER LLP

14 By: /s/ Deborah L. Stein

Marcellus A. McRae

Deborah L. Stein

15 Attorneys for Defendant, Counterclaimant
16 and Third-Party Plaintiff NATIONAL FIRE
17 & MARINE INSURANCE COMPANY

19 Dated: September 9, 2024

SHIVES & ASSOCIATES LIMITED

20 By: /s/ Martin L. Shives

Martin L. Shives

21 Attorney for Defendant, Counterclaimant
22 and Third-Party Plaintiff NATIONAL FIRE
23 & MARINE INSURANCE COMPANY

24 Dated: September 9, 2024

BROWN, BONN & FRIEDMAN LLP

25 By: /s/ Thomas Friedman

Thomas Friedman

26 Attorney for Defendant, Counterclaimant
27 and Third-Party Plaintiff NATIONAL FIRE
28 & MARINE INSURANCE COMPANY

1 Dated: September 9, 2024

PAYNE & FEARS LLP

2 By: /s/ Scott S. Thomas

3 Scott S. Thomas

4 Sarah J. Odia

5 Attorneys for Plaintiff and Counter-
Defendant PN II, INC. DBA PULTE
HOMES AND/OR DEL WEBB

6

7 Dated: September 9, 2024

MRV LAW, INC.

8 By: /s/ Mark R. VonderHaar

9 Mark R. VonderHaar

10 Attorneys for Third-Party Defendants
CONTRACTORS INSURANCE
COMPANY OF NORTH AMERICA

11

12 Dated: September 9, 2024

LEE LANDRUM & INGLE, APC

13 By: /s/ Natasha Landrum

14 Natasha Landrum

15 Attorneys for Third-Party Defendants
CONTRACTORS INSURANCE
COMPANY OF NORTH AMERICA

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17

18 **STATEMENT OF AUTHORITY TO FILE**

19 I attest that all signatories on this document and on whose behalf the filing is
20 submitted concur in the filing's content and have authorized the filing of this document.

21

22 By: /s/ Jeffrey N. Labovitch

23 Jeffrey N. Labovitch

24 **ORDER**

25 IT IS SO ORDERED. The current deadline for the joint pre-trial order is continued
26 to December 13, 2024.

27 DATED: September 10, 2024

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Anne R. Traum

United States District Court Judge